

### **REMARKS**

This response is submitted along with a Request for Continued Examination (RCE) and appropriate fee in reply to the outstanding final Office Action dated May 21, 2009. Claims 1-13 currently stand rejected. Applicants have amended independent claims 1 and 5 for purposes of improving clarity. No new matter has been added by the amendment.

In light of the amendment and the remarks presented below, Applicants respectfully request reconsideration and allowance of all now-pending claims of the present invention.

#### **Examiner Interview**

Applicants' attorney conducted a telephonic interview with the Examiner on September 10, 2009 to discuss the differences between FIGS. 1 and 2 of the claimed invention in relation to the connection between the display of the display tag (10) and the contact pads (40) directly via the conductive traces (21). The Examiner agreed in principle that further defining the claimed invention in light of this feature would distinguish the claimed invention from the cited references. However, the Examiner indicated that the exact language would have to be reviewed and a further search would be conducted upon receipt of this amendment.

Applicants appreciate the Examiner's time and consideration in granting the interview and submit the present amendment to clarify the feature described during the telephonic interview.

#### **Claim Rejections - 35 USC §103**

Claims 1-5 currently stand rejected under 35 U.S.C. §103(a) as being unpatentable over Freeman et al. (U.S. Patent No. 6,019,284, hereinafter "Freeman") in view of Tuttle et al. (U.S. Patent No. RE40137, hereinafter "Tuttle"). Claims 5-13 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Freeman and Tuttle and further in view of Gustin et al. (U.S. Patent No. 5,987,439, hereinafter "Gustin"). Claims 12 and 13 also stand rejected under 35 U.S.C. §103(a) as being unpatentable over Freeman and Tuttle and further in view of Gustin and further in view of Mitchell (U.S. Patent Application Publication No. 2004/0155104).

Independent claims 1 and 5 have each been amended to recite, *inter alia*, the array of contacts being directly connected to the character display via conductive traces. Thus, as shown in FIGS. 1 and 2 and described above, the structure of the claimed invention is clarified to correspond to an exemplary embodiment having a display tag in which the character display is directly connected via the conductive traces (21) to the contact pad (40). In other words, no other devices interrupt the connection between the contact pad and the character display other than the conductive traces that form the connection. Applicants respectfully submit that this feature is neither taught nor suggested by the cited references, alone or in combination.

Freeman discloses a flexible chip card with a display. However, as shown in FIG. 1C of Freeman, the LCD (26) is directly connected to the PCB (18) via the Z-axis conductor (28) instead of being directly connected to the contacts (20). Accordingly, Freeman fails to teach or suggest the array of contacts being directly connected to the character display via conductive traces as defined in independent claims 1 and 5.

Tuttle relates to a radio frequency identification device (see Abstract and throughout Tuttle). Thus, Tuttle does not disclose a contact-type transaction card at all and therefore necessarily fails to teach or suggest the array of contacts being directly connected to the character display via conductive traces as defined in independent claims 1 and 5.

Gustin and Mitchell also fail to teach or suggest the array of contacts being directly connected to the character display via conductive traces as defined in independent claims 1 and 5, and neither reference is cited as such. Since Freeman, Tuttle, Gustin and Mitchell each fail to teach or suggest the above recited feature of independent claims 1 and 5, any combination of the cited references also fails to teach or suggest such feature. Accordingly, independent claims 1 and 5 are patentable over the cited references, alone or in combination. Claims 2-4 and 6-13 depend either directly or indirectly from independent claims 1 and 5, respectively. Thus, dependent claims 2-4 and 6-13 include all the recitations of their respective independent claims and are patentable over the cited references for at least the same reasons given above for independent claims 1 and 5.

Accordingly, Applicants respectfully submit that the rejections of claims 1-13 are overcome.

**CONCLUSION**

In view of the amendment and the remarks submitted above, it is respectfully submitted that the present claims are in condition for immediate allowance. It is therefore respectfully requested that a Notice of Allowance be issued. The Examiner is encouraged to contact Applicants' undersigned attorney to resolve any remaining issues in order to expedite examination of the present invention.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



Chad L. Thorson  
Registration No. 55,675

**Customer No. 00826**  
**ALSTON & BIRD LLP**  
Bank of America Plaza  
101 South Tryon Street, Suite 4000  
Charlotte, NC 28280-4000  
Tel Charlotte Office (704) 444-1000  
Fax Charlotte Office (704) 444-1111

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